

Certified Letter :

7103 1710 0002 0854 0223



STATE OF TENNESSEE
DEPARTMENT OF ENVIRONMENT AND CONSERVATION
KNOXVILLE ENVIRONMENTAL FIELD OFFICE

3711 MIDDLEBROOK PIKE
KNOXVILLE, TENNESSEE 37921-6538
PHONE (865) 594-6035 STATEWIDE 1-888-891-8332 FAX (865) 594-6105

March 23, 2016

Mr. John Sakmar, General Manager
Republic Services
621 Hill Avenue
Nashville, TN 37120

RE: Middle Point Landfill Limestone Quarrying and Processing Complaint
Individual NPDES Permit and Sector J TMSP

Dear Mr. Sakmar:

On Tuesday, March 15, 2016, the Division of Water Resources – Mining Section was forwarded a complaint concerning blasting and possible mining activity taking place on property adjacent to the Middle Point Landfill. The Division does not regulate blasting activity for mining sites or any other sites maintaining state permit coverage. This activity is regulated by the Division of Commerce and Insurance – State Fire Marshall's Office.

Division personnel investigated the complaint on Wednesday, March 16, 2016. According to the findings, it was determined that limestone had, in the past, been removed and processed by crushing, screening and sorting the material for use at the landfill. However, no processing (crushing, screening or sorting) was taking place on the site at the time of the investigation. There were one or two limestone stockpiles remaining on the site. It was also noted that the runoff from the operation had been contained by existing Best Management Practices and inside the limestone pit sump. No water quality issues were noted during the investigation.

Results from the investigation were forwarded to the Division of Water Resources – Mining Section in Knoxville, Tennessee for review on Thursday, March 17, 2016. Middle Point Landfill has permit coverage under Sector L of the Tennessee Multi-Sector Permit (TMSP) for stormwater discharges. In conversations with Republic Services representative Mr. Craig Almanza on Friday, March 18, 2016, Republic was under the impression that they were covered under the existing TMSP. However, this permit primarily covers stormwater discharges with industrial activities at landfills associated with the disposal of solid waste. Secondary activities that are covered include excavation, road construction, grading and drainage system construction. Limestone mining and processing is not included in this permit. If Middle Point Landfill intends to remove and process limestone on site, an Individual NPDES permit will be required in addition to the existing Sector L TMSP.

Applicants for individual NPDES permits must complete and submit the following information:

- 1) EPA Form 1 (General Information)
- 2) EPA Form 2D (New Sources and New Discharges)
- 3) Submittal of plans for wastewater treatment and drainage control (site and drainage maps, drawings and specifications for treatment structures)
- 4) Notification to the public by posting a sign for thirty days near the point of entrance to your facility and within view of a public road
- 5) Submittal of plans review fee of \$250.00 in accordance with state environmental fund requirements
- 6) Alternatives Analysis for proposed new discharge activities
- 7) NPDES Permit Application Address Form

Division permitting requirements and application forms may also be found at <http://www.tn.gov/environment/permits/h2oforms.shtml>.

One original and two copies (three total) of the NPDES permit application, supporting plans, and address form, accompanied with a review fee of \$250.00, should be submitted to the following address:

Tennessee Department of Environment and Conservation
Division of Water Resources
Mining Section
Attn: Gary Mullins
3711 Middlebrook Pike
Knoxville, Tennessee 37921-6538

You will receive notification of receipt of your application and informed of additional information if required. Your complete application will be placed on a mandatory thirty-day public comment period and a draft NPDES permit issued for your review. The application for individual permit coverage should be submitted no later than **60 days** upon receipt of this letter.

If Middle Point Landfill does not intend to conduct limestone mining and processing on site, an Individual NPDES permit is not required. However, the Division will require that Republic Services obtain additional TMSP coverage under Sector J – Crushed and Broken Limestone for the storage and use of the remaining stockpiles until a decision is made on whether or not to obtain an Individual Permit. A Notice of Intent (NOI) and application for coverage under the Tennessee Multi-Sector Permit (TMSP) under Sector J should be submitted within **30 days** from receipt of this letter. The industrial activity to be conducted at the facility is storage and stockpiling of crushed and broken limestone.

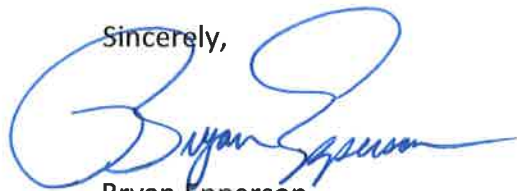
Mr. John Sakmar, General Manager

March 23, 2016

Page 3

Thank you in advance for your cooperation on this matter. If you have any questions or concerns about the permitting process, please do not hesitate to contact this office.

Sincerely,

A handwritten signature in blue ink, appearing to read "Bryan Epperson", is written over the word "Sincerely,".

Bryan Epperson

Mining Section Manager – Division of Water Resources
Knoxville Environmental Field Office

Cc: Craig Almanza, Republic Services (e-copy)

Jason Repsher, Nashville Field Office Manager, DSM (e-copy)

Brandon Yates, Nashville EFO (e-copy)